

Appl. No. 09/755,948  
Amdt. Dated September 21, 2005  
Reply to Advisory action of 05/27/2005  
Attorney Docket No. P12662/27943-00403USPT  
EUS/JIP/05-6134

### REMARKS/ARGUMENTS

#### **1.) Claim Amendments**

The Applicant has amended Claims 37, and 39-40; Claims 1-36 have been cancelled; Claims 41-42 have been added. Applicant respectfully submits no new matter has been added. Accordingly, Claims 37-42 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

#### **2.) Claim Rejections – 35 U.S.C. § 103 (a)**

The Examiner rejected claims 37-40 under 35 U.S.C. § 103(a) as being unpatentable over Owensby (US Pat. 6,647,257) in view of Calvert. (US Pat. 6,526,275). In view of the Applicant's telephonic interview with the Examiner on August 8, 2005 and the discussed amendments to the pending claims, the Applicant respectfully requests the Examiner's favorable reconsideration of now amended claims.

The Applicant respectfully submits that the recited steps of independent Claim 1 wherein the steps of "receiving a subscription for a particular triggering event associated with a mobile telecommunications device from the content provider" and "agreeing to notify the content provider when the telecommunications system reports the triggering event associated with the mobile telecommunication device" are not disclosed or taught by the cited references. In other words, the subscription based service wherein the content provider can specify and subscribe to a particular triggering event for a particular mobile telecommunication device is not anticipated or rendered obvious by Owensby or Calvert.

In that regard, Owensby basically discloses playing or inserting "advertisement announcements or other play-backs" before or during a call connection. For example, Owensby discloses that whenever a mobile subscriber initiates a call, the system determines the location of the mobile station and then inserts appropriate play-back announcements (e.g., local advertisement) before actually connecting to the final destination. The Applicant respectfully submits that the present invention as claimed by now amended independent claims is distinguishable from the Owensby invention.

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Regarding the Calvert reference, it basically discloses maintaining a database of product vendors or suppliers within a particular service area and providing such information to a user of a communication device when traveling within that service area. Accordingly, Calvert teaches a commercial database for keeping track of which products or services are available to mobile subscribers within a particular service area. However, nothing in Calvert discloses the subscription based triggering event as currently recited by the pending claims.

The Applicant therefore earnestly believes the pending independent Claims are patentable over the cited references and a Notice of Allowance is respectfully requested. Claims 38, 41 and 42 depend from amended claims 37, 39, and 40, respectively and recite further limitations in combination with the novel elements thereof. Therefore, the allowance of claims 37-42 is respectfully requested.

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### CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

  
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